

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2155 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE D.A.MEHTA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

RASILA JOSHI

Versus

STATE OF GUJARAT AND OTHERS

Appearance:

MR MD RANA for Petitioner
MR KT DAVE, A.G.P. for Respondent No. 1
RULE SERVED for Respondent No. 2

CORAM : MR.JUSTICE D.A.MEHTA

Date of decision: 27/04/2001

ORAL JUDGEMENT

The petitioner who is serving as Aval Karkoon in the District Rural Development Agency has been promoted to the said post vide Order dated 09/1/1984 (Annexure 'A-2'). This promotion was granted to her in pursuance

of order by this Court dated 24/11/1983 passed in M.C.A. No.3812 of 1983 wherein the petitioner had prayed that the respondent be directed to give effect to the order by this Court passed in Special Civil Application No.4800 of 1981 on 25/5/1982.

2. In the present petition the prayer is that the respondents be directed to pay the attendant benefits attached to the post of Aval Karkoon from the date of the judgement of this Hon'ble Court viz. w.e.f. 25/5/1982.

3. As can be seen from the impugned order dated 09/1/1984 (Annexure 'A-2'), the respondent had preferred L.P.A. against the order of this Court Hon'ble Court on 25/5/1982 but the judgement had not been stayed. In view of these circumstances the claim made by the petitioner is required to be allowed. The respondents are directed to make appropriate payment within a period of three months from the date of this order.

This application is accordingly allowed. Rule made absolute with no order as to costs.

(D.A. Mehta, J)
'Bhavesh'